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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 30725 of 2025

Saravana Muthukumar

Petitioner(s)

Vs

1. The Manger
Kotak Mahenda Bank,
Kumaran Nagar Branch, Tirupur

2.The Integrated Ombudsman
Kotak Mahendra Bank,
Centralized Receipt and Processing
Centre,
Reserve Bank Of India,
Rajaji Salai, Chennai-600 001

3.The Regional Manager/Director
Reserve Bank of India,
No.16, Rajaji Salai,
Chennai-600 001

Respondent(s)



PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's last representation dated 8.1.2025 and direct the 1st respondent to furnish the copy of the cheques and demand draft from the date 07.05.2008 for Demand Draft to the tune of Rs.17,29,311/- and cheques was issued on 07.5.2008 each carrying value of Rs.1,00,000/- and Rs.1,50,000/- respectively and another demand draft dated 24.6.2008 to the tune of Rs.1,00,000/- along with the beneficiary name.

For Petitioner(s): V.R.Annagandhi

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent Bank to deal with the representation made by the petitioner on 08.01.2025, wherein, the petitioner is seeking for copy of the Cheques and Demand Drafts given by the petitioner along with the name of the beneficiary.

2.Heard the learned counsel for the petitioner.

3.In the considered view of this Court, the petitioner is seeking for a relief as against the private Bank. In a recent judgement of the Apex Court in

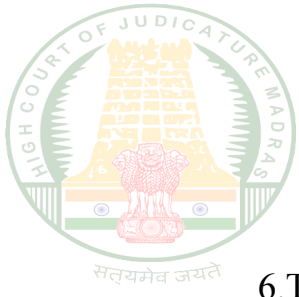


S.Shobha vs. Muthoot Finance Ltd., reported in **2025 4 CTC 327**, the Apex

Court held that a writ petition should not be normally entertained as against the private entity/bank, since it does not fulfil the requirement under Article 12 of the Constitution of India. The Apex Court held that as against the private Bank, unless and otherwise it involves any duty towards the public, such writ petition should not be entertained by the High Courts under Article 226 of the Constitution of India. Specific reliance is placed on Paragraph No.9 of this judgement.

4. Useful reference can also be made to the landmark judgement of the Apex Court in ***Federal Bank Ltd., vs. Sagar Thomas and Others*** reported in **2003 4 CTC 418**.

5. In the light of the above law enunciated by the Apex Court, the relief as sought for by the petitioner cannot be maintained before this Court. It is left open to the petitioner to workout his remedy in the appropriate forum in accordance with law.



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6. This writ petition is disposed of in the above terms. No Costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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N.ANAND VENKATESH J.

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